

## AMENDMENT NO. 1571

At the request of Mr. DEWINE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of amendment No. 1571 intended to be proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

## AMENDMENT NO. 1572

At the request of Mr. DODD, the names of the Senator from New York (Mrs. CLINTON) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 1572 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

## AMENDMENT NO. 1580

At the request of Mr. HARKIN, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Michigan (Mr. LEVIN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Washington (Ms. CANTWELL) and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of amendment No. 1580 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

## AMENDMENT NO. 1586

At the request of Mr. NELSON of Nebraska, the names of the Senator from New Jersey (Mr. CORZINE), the Senator from Vermont (Mr. LEAHY) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 1586 intended to be proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

## AMENDMENT NO. 1588

At the request of Mr. BINGAMAN, the names of the Senator from New Jersey (Mr. CORZINE), the Senator from Minnesota (Mr. DAYTON) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 1588 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

## AMENDMENT NO. 1589

At the request of Mr. ROCKEFELLER, his name was added as a cosponsor of amendment No. 1588 proposed to H.R. 2660, supra.

## AMENDMENT NO. 1592

At the request of Mr. REED, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Massachusetts (Mr. KERRY), the Sen-

ator from New York (Mrs. CLINTON), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from West Virginia (Mr. BYRD) were added as cosponsors of amendment No. 1592 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

## AMENDMENT NO. 1595

At the request of Mr. REED, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Washington (Mrs. MURRAY) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of amendment No. 1595 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

## AMENDMENT NO. 1595

At the request of Ms. LANDRIEU, her name was added as a cosponsor of amendment No. 1595 proposed to H.R. 2660, supra.

## AMENDMENT NO. 1596

At the request of Mr. DASCHLE, his name was added as a cosponsor of amendment No. 1596 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

## AMENDMENT NO. 1596

At the request of Mr. REED, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 1596 proposed to H.R. 2660, supra.

## AMENDMENT NO. 1602

At the request of Mr. CORZINE, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Michigan (Ms. STABENOW), the Senator from Michigan (Mr. LEVIN) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of amendment No. 1602 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

## AMENDMENT NO. 1603

At the request of Mr. REID, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Arkansas (Mr. PRYOR) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of amendment No. 1603 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER:

S. 1604. A bill to increase criminal penalties relating to terrorist murders, deny Federal benefits to terrorists, and for other purposes; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

## S. 1604

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Terrorist Penalties Enhancement Act of 2003".

## SEC. 2. PENALTIES FOR TERRORIST MURDERS.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding at the end the following:

## "§ 2339D. Terrorist offenses resulting in death

"(a) PENALTY.—A person who, in the course of committing a terrorist offense, engages in conduct that results in the death of a person, shall be punished by death or imprisoned for any term of years or for life.

"(b) TERRORIST OFFENSE DEFINED.—In this section, the term 'terrorist offense' means—

"(1) international or domestic terrorism as defined in section 2331;

"(2) a Federal crime of terrorism as defined in section 2332b(g);

"(3) an offense under this chapter;

"(4) section 175, 175b, 229, or 831 of this title;

"(5) section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284); or

"(6) an attempt or conspiracy to commit an offense described in paragraph (1), (2), (3), (4), or (5)."

(b) CHAPTER ANALYSIS.—The chapter analysis of chapter 113B of title 18, United States Code, is amended by inserting at the end the following:

"2339D. Terrorist offenses resulting in death."

## (c) AGGRAVATING FACTORS.—

(1) IN GENERAL.—Section 3591(a)(1) of title 18, United States Code, is amended by striking "or section 2381" and inserting "2339D, or 2381".

(2) CONFORMING AMENDMENT.—Section 3592(b) of title 18, United States Code, is amended—

(A) in the heading, by striking "AND TREASON" and inserting "TREASON, AND TERRORISM"; and

(B) in paragraph (1)—

(i) in the heading, by striking "OR TREASON" and inserting "TREASON, OR TERRORISM"; and

(ii) by striking "or treason" and inserting "treason, or terrorism".

## SEC. 3. DENIAL OF FEDERAL BENEFITS TO TERRORISTS.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding at the end the following:

## "§ 2339E. Denial of Federal benefits to terrorists

"(a) IN GENERAL.—Any individual who is convicted of a Federal crime of terrorism (as defined in section 2332b(g)) shall, as provided by the court on motion of the Government, be ineligible for any or all Federal benefits for any term of years or for life.

"(b) FEDERAL BENEFIT DEFINED.—As used in this section, 'Federal benefit' has the meaning given that term in section 421(d) of the Controlled Substances Act (21 U.S.C. 862(d))."

(b) CHAPTER ANALYSIS.—The chapter analysis of chapter 113B of title 18, United States

Code, is amended by inserting at the end the following:

“2339E. Denial of Federal benefits to terrorists.”.

By Mr. GRAHAM of Florida (for himself and Mr. REID):

S. 1605. A bill to authorize major medical facility projects for the Department of Veterans Affairs in connection with the Capital Asset Realignment for Enhanced Services initiative and to satisfy Department of Veterans Affairs requirements on natural disasters, and for other purposes; to the Committee on Veterans' Affairs.

Mr. GRAHAM. Mr. President, I rise today to introduce legislation that would authorize the construction of new veterans' hospitals in east-central Florida and Las Vegas, NV. In addition, the legislation would enable the Department of Veterans Affairs, VA, Medical Center in San Juan, Puerto Rico, to sustain operations in the event of a natural disaster, such as an earthquake.

For years now, VA has been under a sort of moratorium for new construction projects. This was due to the capital asset realignment for enhanced services, CARES, process, which is designed to examine VA's infrastructure and try to realign it to better meet the projected needs of veterans. Many here in Congress were understandably reluctant to invest any valuable dollars in a facility that may ultimately be slated for downsizing.

However, the CARES process is now nearing its end. The CARES Commission is in the process of reviewing the national draft plan developed by the Under Secretary for Health, and Commissioners will make their recommendations to the Secretary by the end of November. The Secretary will then make his final decisions on what plans will be implemented by the end of the year.

Included in the national draft plan were two major construction initiatives: a new hospital and clinic in Las Vegas, NV, and a new facility in east-central Florida. In light of the fact that these two projects are the only new hospitals included in the draft plan, and that the great need in both of these areas has been well documented, the sooner we can get these facilities up and running, the better.

Veterans living in east-central Florida are in dire need of a full-fledged VA hospital. One VA report found that since 1996, “the Central Florida market sustained the greatest workload expansion of the entire VA system—105 percent.” Other VA studies have deemed Orlando as “the logical choice for infrastructure investment for all major Inpatient and Outpatient categories.” The decision about where to place a new VA hospital in this region falls to VA, but I encourage Secretary Principi to carefully study all the options to ensure that the most appropriate location is chosen.

Las Vegas, in Clark County, NV, was recognized by VA as, “. . . one of the

fastest growing markets in the U.S.” VA also acknowledges that there is a gap in long-term care accessibility in this area, and that contracting in the community is not a viable option as there are quality of care issues with the region's private sector facilities. Why should we wait to authorize projects whose necessity is broadly recognized by veterans and VA alike?

This legislation would also authorize \$30 million for the San Juan VA Medical Center to undertake much needed upgrading in order to ensure that patient safety is not unnecessarily jeopardized in the event of an earthquake. The money would be used to bring the facility in line with the CD-54 natural disasters directive, enabling vital services to continue to be provided for 7 to 10 days after a disaster. Services that would be reinforced by this project are primarily utilities, which in some cases provide lifesaving support to patients.

In 1991, the San Juan VA Medical Center was deemed seismically unsound, and other structural deficiencies were uncovered as well. Although the Caribbean is not normally thought of as a seismic “hot spot,” the islands are mountainous and severe earthquakes do occur there every few decades. The supposed unlikelihood of such an event is no reason to not have contingency operations should something actually occur. Patient safety is not something that can be gambled with in this manner. It is important that we supply the San Juan VA Medical Center with the additional resources it needs to make sure that no patient has to go without life support in the event of a natural disaster. I was disappointed that the San Juan upgrading project was not included in VA's draft plan, but regardless, I do believe we have an obligation to make these needed repairs.

Finally, I would like to recognize the efforts of my friend Senator REID in this initiative, who is also facing a rapidly growing veteran population in his home State of Nevada. Additionally, I want to thank Representative CORRINE BROWN of the Orlando area, Representative SHELLEY BERKLEY of Las Vegas, and Representative ANÍBAL ACEVEDO-VILÁ of Puerto Rico, who have all been very helpful in developing a companion bill in the House.

I urge my colleagues to join us in this effort for our Nation's veterans.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1605

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Construction of a health care facility at a location in East Central Florida selected

by the Secretary, as part of the Capital Asset Realignment for Enhanced Services (CARES) initiative, \$170,000,000.

(2) Improvements of the Department of Veterans Affairs Medical Center in San Juan, Puerto Rico, in order to bring that facility into compliance with the CD-54 Natural Disasters Directive, \$30,000,000.

(3) Construction of a health care facility in Las Vegas, Nevada, as part of the Capital Asset Realignment for Enhanced Services initiative, \$250,000,000.

#### SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for the Secretary of Veterans Affairs for fiscal year 2004 for the Construction, Major Projects, account, a total of \$450,000,000 for the projects authorized in section 1.

(b) LIMITATION.—The projects authorized in section 1 may only be carried out using—

(1) funds appropriated for fiscal year 2004 pursuant to the authorization of appropriations in subsection (a);

(2) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2004 that remain available for obligation; and

(3) funds appropriated for Construction, Major Projects, for fiscal year 2004 for a category of activity not specific to a project.

Mr. REID. Mr. President, I join with my colleague, Senator GRAHAM of Florida, to introduce legislation that authorizes funding for a new veterans' hospital, outpatient clinic and senior center in Southern Nevada. Nevada is now the third most popular retirement State in the Nation. And many of the retirees who make their homes in Nevada are veterans who served our country with courage and honor.

More than 240,000 veterans live in Nevada, and more than one-third of Nevada's residents over age 65 have worn the uniform of the United States. Veterans are the cornerstone of our economy. They are also our neighbors, our family members and our friends.

As we welcome these veterans, we must also ensure that they can get the services they need—especially medical care. Our veterans put their lives on the line for our freedom. They deserve the best health care in the world. But we have been struggling to keep up with our fast-growing population of veterans.

Across the Nation, more than 110,000 veterans have waited more than 6 months for their first medical appointment with the VA. There have been some backlogs in booming areas like Las Vegas, which has the highest growth rate in the Nation. This new facility should ease some of these delays and result in improved care for our veterans.

I was pleased to learn recently from VA Secretary Anthony Principi that he endorsed the building of a new hospital in southern Nevada. This bill, which was made possible by the strong leadership of Senator GRAHAM of Florida, would authorize \$250 million to build this sorely needed facility.

I realize that we have many urgent priorities today, and our resources are not unlimited. But this is a matter of national security. We have soldiers in

the desert of Iraq today who volunteered to risk their lives protecting our freedom. They willingly put their lives on the line for us. In return, we make certain promises to them. One of those promises is that they will receive quality health care when they come home. We must keep this promise to our troops.

Right now, I am sorry to say, we are not keeping that promise to the Nation's veterans. This bill will help steer us onto the right course, and begin to correct that injustice for the veterans in Southern Nevada.

I urge your support of this legislation.

By Mr. KYL:

S. 1606. A bill to strengthen and enhance public safety through pretrial detention and postrelease supervision of terrorists, and for other purposes; to the Committee on the Judiciary.

Mr. KYL. Mr. President, I rise today to introduce the "Pretrial Detention and Lifetime Supervision of Terrorists Act of 2003," legislation that will fill continuing gaps in the laws that our police and prosecutors use to protect our Nation from terrorism.

Under current Federal law, defendants accused of certain crimes—such as drug crimes carrying a potential sentence of ten years or more—are presumptively denied pretrial release. This provision of current law, however, does not apply to terrorists.

The legislation that I have introduced today would fix this oversight, by amending the criminal code to presumptively deny pre-trial release to persons charged with terrorist activity. The presumption would apply to Federal crimes of terrorism, as enumerated in the criminal code, if the Attorney General certifies that the offense, by its nature and context, appears to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping, or an offense involved in or related to domestic or international terrorism.

Extending the presumption in current law to terrorist offenses is justified by the unparalleled magnitude of the threat posed to our Nation by acts of terrorism. Terrorists are at least as much of a threat as drug dealers—and should also be subject to a presumption of pre-trial detention.

The bill that I have introduced today also would broaden the list of offenses that render a convicted terrorist eligible for lifetime supervision subsequent to his release from prison. Currently law allows lifetime post-release supervision for terrorist offenses only if they result in or create a foreseeable risk of death or serious injury. This limitation could prevent the imposition of adequate supervision periods for persons convicted of non-violent terrorist offenses, such as a computer attack on the United States that results in tens

of billions of dollars of economic damage. It could also limit supervision for persons who provide the essential financial or other material support for terrorist acts, but who do not themselves directly engage in violent terrorist acts.

The continuing danger posed to our Nation's security by such persons may be no less than that posed by the direct perpetrators of terrorist violence. The courts should be afforded the same degree of discretion in prescribing postrelease supervision for these terrorists as for others.

For this reason, the bill introduced today eliminates the foreseeable-risk-of-injury requirement and allows lifetime supervision for all offenses in the standard list of crimes likely to be committed by terrorists and their supporters. This reform reflects the continuing danger posed by convicted terrorists after their completion of a term of imprisonment. It recognizes that even those terrorists not directly involved in the use of violence may continue to harbor a commitment to terrorist goals and methods that will not dissipate within a few years of release.

I look forward to the Senate's consideration of these common-sense reforms to our Nation's anti-terror laws.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1606

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Pretrial Detention and Lifetime Supervision of Terrorists Act of 2003".

#### SEC. 2. PRESUMPTION FOR PRETRIAL DETENTION IN CASES INVOLVING TERRORISM.

Section 3142 of title 18, United States Code, is amended—

(1) in the flush language at the end of subsection (e) by—

(A) striking "or" before "the Maritime"; and

(B) striking "or" before "2332b"; and

(C) inserting before the period at the end of the following: "or an offense listed in section 2332b(g)(5)(B) of title 18 of the United States Code, if the Attorney General certifies that the offense appears by its nature or context to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping, or an offense involved in or related to domestic or international terrorism as defined in section 2331 of title 18 of the United States Code"; and

(2) in subsections (f)(1)(A) and (g)(1), by inserting after "violence" the following: "or an offense listed in section 2332b(g)(5)(B) of title 18 of the United States Code, if the Attorney General certifies that the offense appears by its nature or context to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping, or an of-

fense involved in or related to domestic or international terrorism as defined in section 2331 of title 18 of the United States Code".

#### SEC. 3. POSTRELEASE SUPERVISION OF TERRORISTS.

Section 3583(j) of title 18, United States Code, is amended by striking "the commission" and all that follows through "person,".

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 222—DESIGNATING OCTOBER 17, 2003 AS "NATIONAL MAMMOGRAPHY DAY"

Mr. BIDEN (for himself, Mr. AKAKA, Mr. ALLEN, Mr. BAYH, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAU, Mr. BROWNBACK, Mr. CAMPBELL, Ms. CANTWELL, Mr. CARPER, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. CRAIG, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. EDWARDS, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. HAGEL, Mr. HATCH, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Ms. MIKULSKI, Mr. MILLER, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. REID, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SCHUMER, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TALENT, and Mr. VOINOVICH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 222

Whereas according to the American Cancer Society, in 2003, 211,300 women will be diagnosed with breast cancer and 39,800 women will die from this disease;

Whereas it is estimated that about 2,000,000 women were diagnosed with breast cancer in the 1990s, and that in nearly 500,000 of those cases, the cancer resulted in death;

Whereas African-American women suffer a 30 percent greater mortality from breast cancer than White women and more than a 100 percent greater mortality from breast cancer than women from Hispanic, Asian, and American Indian populations;

Whereas the risk of breast cancer increases with age, with a woman at age 70 years having twice as much of a chance of developing the disease as a woman at age 50 years;

Whereas at least 80 percent of the women who get breast cancer have no family history of the disease;

Whereas mammograms, when operated professionally at a certified facility, can provide safe screening and early detection of breast cancer in many women;

Whereas mammography is an excellent method for early detection of localized breast cancer, which has a 5-year survival rate of more than 97 percent;

Whereas the National Cancer Institute and the American Cancer Society continue to recommend periodic mammograms; and

Whereas the National Breast Cancer Coalition recommends that each woman and her health care provider make an individual decision about mammography: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates October 17, 2003, as "National Mammography Day"; and

(2) requests that the President issue a proclamation calling upon the people of the